



महाराष्ट्र शासन राजपत्र

असाधारण भाग चार-क

वर्ष ६, अंक ५९]

बुधवार, ऑक्टोबर १, २०१४/आश्विन ९, शके १९३६

[पृष्ठ ४, किंमत : रुपये १.००

असाधारण क्रमांक १०७

प्राधिकृत प्रकाशन

महाराष्ट्र शासनाव्यतिरिक्त इतर वैधानिक प्राधिकाऱ्यांनी तयार केलेले

(भाग एक, एक-अ व एक-ल यांमध्ये प्रसिद्ध केलेले वैधानिक नियम व आदेश यांव्यतिरिक्त इतर)

वैधानिक नियम व आदेश ; यात भारत सरकार, उच्च न्यायालय, पोलीस आयुक्त, आयुक्त (राज्य उत्पादन शुल्क), जिल्हादंडाधिकारी व निवडणूक आयोग, निवडणूक न्यायाधिकरण, निवडणूक निर्णय अधिकारी व निवडणूक आयोगाखालील इतर प्राधिकारी यांनी तयार केलेले वैधानिक नियम व आदेश यांचा समावेश होतो.

GENERAL ADMINISTRATION DEPARTMENT

Madam Cama Road, Hutatma Rajguru Chowk,

Mantralaya, Mumbai 400 032, dated the 1st October 2014.

CONSTITUTION OF INDIA.

No. ROB. 2014/C.R.68/18 (O & M).—The following Proclamation and Order by the President are re-published for general information :—

MINISTRY OF HOME AFFAIRS

New Delhi, dated the 28th September 2014

NOTIFICATION

G.S.R 698(E).—The following Proclamation made by the President is published for general information :—

Whereas, I, Pranab Mukherjee, President of India, have received a report from the Governor of the State of Maharashtra and after considering the report and other information received by me, I am satisfied that a situation has arisen in which the Government of that State cannot be carried on in accordance with the provisions of the Constitution of India (hereinafter referred to as “the Constitution”) ;

Now, therefore, in exercise of the powers conferred by article 356 of the Constitution, and of all other powers enabling me in that behalf, I hereby proclaim that I—

(a) assume to myself as President of India all functions of the Government of the said State and all powers vested in or exercisable by the Governor of that State ;

(b) declare that the powers of the Legislature of the said State shall be exercisable by or under the authority of Parliament; and

(c) make the following incidental and consequential provisions which appear to me to be necessary or desirable for giving effect to the objects of this Proclamation, namely :—

(i) in the exercise of the functions and powers assumed to myself by virtue of clause (a) of this Proclamation as aforesaid, it shall be lawful for me as President of India to act to such extent as I think fit through the Governor of the said State;

(ii) the operation of the following provisions of the Constitution in relation to that State is hereby suspended, namely :—

so much of the proviso to article 3 as relates to the reference by the President to the Legislature of the State;

so much of clause (2) of article 151 as relates to the laying, before the Legislature of the State, of the report submitted to the Governor by the Comptroller and Auditor-General of India;

articles 163 and 164;

so much of clause (3) of article 166 as relates to the allocation among the Ministers of the business of the Government of the State;

article 167;

so much of clause (1) of article 169 as relates to the passing of a resolution by the Legislative Assembly of a State;

clause (1), and sub-clause (a) of clause (2), of article 174;

articles 175 to 177 (both inclusive);

clause (c) of article 179 and the first proviso to that article;

article 181, clause (c) of article 183 and the proviso to that article;

articles 185, 188, 189, 193 and article 194;

articles 196 to 198 (both inclusive), clauses (3) and (4) of article 199;

articles 200 and 201;

articles 208 to 211 (both inclusive);

the proviso to clause (1) and the proviso to clause (3) of article 213; and so much of clause (2) of article 323 as relates to the laying of the report with a memorandum before the Legislature of the State;

(iii) any reference in the Constitution to the Governor shall, in relation to the said State, be construed as a reference to the President, and any reference therein to the Legislature of the State or the Houses thereof shall, in so far as it relates to the functions and powers thereof, be construed, unless the context otherwise requires, as a reference to Parliament, and, in particular, the reference in article 213 to the Governor and to the Legislature of the State or the Houses thereof, shall be construed as references to the President and to Parliament or to the Houses thereof respectively :

Provided that nothing herein shall affect the provisions of article 153, articles 155 to 159 (both inclusive), article 299 and article 361 and paragraphs 1 to 4 (both inclusive) of the Second Schedule or prevent the President from acting under sub-clause (i) of this clause to such extent as he thinks fit through the Governor of the said State ;

(iv) any reference in the Constitution to Acts or laws of, or made by, the Legislature of the State shall be construed as including a reference to Acts or laws made, in exercise of the powers of the Legislature of the State, by Parliament by virtue of this Proclamation,

or by the President or other authority referred to in sub-clause (a) of clause (1) of article 357 of the Constitution, and the Bombay General Clauses Act, 1904 (Bombay Act 1 of 1904) as in force in the State of Maharashtra, and so much of the General Clauses Act, 1897 (10 of 1897), as applies to State laws, shall have effect in relation to any such Act or law as if it were an Act of the Legislature of the State.

New Delhi,

Dated the 28th September 2014.

PRANAB MUKHERJEE,
President.

(F. No.V/11013/2/2014-CSR-I)

ANIL GOSWAMI,
Home Secretary.

Order

New Delhi, dated the 28th September 2014

G.S.R 699(E).—The following Order made by the President is published for general information :—

In pursuance of sub-clause (i) of clause (c) of the Proclamation issued on this, the 28 day of September, 2014, by me under article 356 of the Constitution of India, I hereby direct that all the functions of the Government of the State of Maharashtra and all the powers vested in or exercisable by the Governor of that State under the Constitution or under any law in force in that State, which have been assumed by the President by virtue of clause (a) of the said Proclamation, shall, subject to the superintendence, direction and control of the President, be exercisable also by the Governor of the said State.

PRANAB MUKHERJEE,
President.

New Delhi,
Dated the 28th September 2014.

(F. No.V/11013/2/2014-CSR-I)
ANIL GOSWAMI,
Home Secretary.

By order and in the name of the Governor of Maharashtra,

S. S. KSHATRIYA,
Chief Secretary to Government.